

Appl. No. 10/603,624
Amendment dated September 21, 2006
Reply to Final Office Action of June 21, 2006

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REMARKS / ARGUMENTS**RECEIVED
CENTRAL FAX CENTER****SEP 21 2006**

Claims 1-10 remain pending in this application

Rejection Under 35 U.S.C. §112

Claims 1-10 again stand rejected under 35 U.S.C. § 112, second paragraph, as being unclear in that some essential parts such as a controller are not positively claimed so as to be included in the apparatus.

By this amendment, claims 1 and 10 have been further amended to recite an operating unit for controlling operations of the analyzer and that the display means are controlled by the operating unit. Support for this limitation may be found in the specification at page 11, lines 5-16 and page 6, lines 1-7.

It is submitted that claims 1-10 now meet all the requirements of 35 U.S.C. § 112. Sufficient structure is set forth in the claims to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. It is noted that it is not necessary to set forth all the aspects of an invention in the claims. Thus, the Mimura et al. '364 patent cited by the Examiner essentially only claims a screen display, a plurality of instruction buttons on a state inspection screen and a controller. Accordingly, it is submitted that Applicants' claims now meet all the requirements of 35 U.S.C. § 112.

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Rejections Under 35 U.S.C. §§102 and 103

Claims 1-5 and 7-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mimura et al (U. S. Patent 6,080,364) in view of Bander et al (U.S. Patent No. 5,576,946). Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mimura et al ('364) in view of Koakutsu (EP 0359049). Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mimura et al ('364) in view of Kodosky et al (U.S. Patent No. 4,901,221). These rejections are traversed as follows.

Patentability of the Claims

The present invention is directed to an automatic analyzer having a reaction vessel for reacting a sample and a reagent and an analysis part for analyzing a reaction in the reaction vessel. An operating unit 106 is provided for controlling operations of the analyzer. A display means controlled by the operating unit is provided for displaying an operation flow having all of the operation steps required for starting up the automatic analyzer. The set up operation is displayed in boxes in a time series. The display means displays at least one operation step required to be operated at the time of starting up operation and another operation step that is not required to be operated at the time of starting up operation. These two operation steps are displayed in different manners. This way, the automatic analyzer can correct operations required for starting up.

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According to the present invention, a graphic user interface (GUI) displays all of the required steps for starting up the automatic analyzer in icons (boxes). The GUI displays the box of a step to be presently operated in a manner different from one that does not need to be presently operated. The necessary operation can be displayed by clicking the icon that is displayed in the particular manner corresponding to an operation that is presently required.

According to the present invention, all of the steps that are required to start up the automatic analyzer are displayed in operation order. Furthermore, steps that are required to be operated at the present time are displayed in a manner different from those that are not required to be operated at the present time. This way, an operator of the automatic analyzer can easily understand the necessary operation such that the automatic analyzer can be started up without error.

The object of the present invention is to provide an automatic analyzer which can be correctly started by an inexperienced operator in a very short time.

In hospital and clinical laboratories, an inexperienced operator often must start up an automatic analyzer quickly when an emergency sample must be analyzed immediately with no experienced operator available.

According to the present invention, all start up operations are displayed in boxes in a time series, boxes of operations required to be operated being displayed in one displaying manner different from other displaying manner of boxes of operations not required to be operated. When the operator operates the box

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displaying requirement of operation, detail operation is displayed on the display screen.

Therefore, an inexperienced operator can correctly start up an automatic analyzer in a short time.

The problem solved by the present invention is that heretofore a long time has been required to start up an automatic analyzer when operated by an inexperienced operator. The present invention was made in recognition of this problem and is a solution therefore.

It is Examiner's position that claims 1 to 5 and 7 to 10 are unpatentable over Mimura et al. in view of Bender or Kodosky.

Bender relates to the control of manufacturing equipment and processes while Kodosky relates to systems for modeling processes. Thus, Bender and Kodosky do not relate to an automatic analyzer and are non-analogous art.

One of ordinary skill in the art would not be led to combine the teachings of Mimura et al. with the teachings of Bender or Kodosky without the hindsight provided by Applicants' invention and their recognition of the problem solved by their invention.

Moreover, there is no suggestion, motivation or teaching in any of the Mimura et al., Bender or Kodosky references of combining them in the manner done so by the Examiner. The claims as now amended are therefore submitted to be non-obvious and patentable.

Conclusion

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In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By Gene W. Stockman
Gene W. Stockman
Reg. No. 21,021